

United States District Court
For the
Middle District of Pennsylvania

Norman G. Shelton
plaintiff

Case No. 4:11-CV-368

v.
Warden Bledsoe et al
defendants

FILED
WILLIAMSPORT
MAY 5 2011

Briefing the Motions
Under local rule 7.5

PER

DEPUTY CLERK

Now comes Norman G. Shelton, plaintiff herein the above case prose fashion. States

History of the case: 1.) As to the conditions of my confinement, I was attacked and assaulted twice by two different gang member's, One on August 30, 2009, I was beaten for three whole minutes with my hands cuffed behind my back while the similar staff stood their and watch and did nothing to stop it, for the three minutes of the attack.

"On Nov. 25, 09, I was force to take another gang member in to my cell against my will and was threaten by officer Seiders, and % Raup that if I didnt take him into my cell, I would be gassed and placed in restraints.

2. Prison officials violated the eighth amendment when they act with deliberate indifference to an unreasonable risk of serious harm to plaintiff. (see). Helling v. McKinney 509 U.S. 25, 33 (1993), Prison officials act with deliberate indifference when they ignored an obvious and serious danger. Prison officials by their own omission caused a liberty ~~interest~~ interest and atypical and significant hardship on the plaintiff relation to the ordinary incident of prison life. (see). Ayers, v. Ryan, 152 F.3d 71 (2d cir 1998), and Taylor v. Rodriguez, 238 F.3d 188 (2d cir, 2001), and also, Hatch v. District of Columbia, 184 F.3d 848 (D.C. cir 1999).

3.) And in the August 30, 09 attack by gang member with plaintiff hands cuffed behind his back. prison officials open the cell door and shot plaintiff in the face with pepper spray and shot him ~~again~~ again with another gas, and punched him and kicked plaintiff. Because plaintiff kicked at gang member to stop his assault,

"leaving plaintiff with more bumps and bruises than what the gang member did to him. by swelling his face, mouth and nose was bleeding bad, (see) *Hodson v. McMillion* 503 - U.S. 1. (1992).

4.) Statement of Fact... Prison officials placed plaintiff in a cell against plaintiff's will. the conditions of living with a gang member and plaintiff being a muslim would not work out. and illustrate the serious affect to plaintiff health and safety. prison officials denied those rights to plaintiff, (see) *Barney v. Pulsipher*, 143 F.3d 1299, 1311 (10th cir 1998). Prison officials used excessive force upon entering into the cell not only yelling threats of get on the ground or we will slam you down and then the % whittaker % Raup grabbed plaintiff and then slam plaintiff face first to the floor infliction of pain and brutality.

5.) It's the particular risk of harm faced a prisoner due to the challenge deprivation of care, rather than the severity of the prisoner's underlying medical who refused to treat plaintiff injuries, considered in the abstract that is relevant for eighth amendment purposes, *Id.* at. 186. *Chance v. Armstrong* 143 F.3d 698-702-703 (2nd cir 1998)

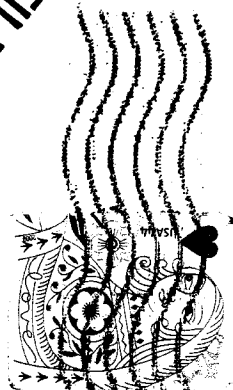
6.) Argument... Prison officials knew or should have known by placing me in to a cell against my will with a gang member was a big risk of danger and shows there has been a pattern of this abuse or that there was a threat of more abuse that would come to pass, and it did, plaintiff incident report will reveal the truth. "No" ~~state shall equal protection of the laws~~ state shall deprive any person within its jurisdiction the equal protection of the law. The plaintiff has no plain, adequate or complete remedy at law to redress the wrongs described herein. Plaintiff has been and will continue to be irreparably injured by the conduct of the defendant unless this court grants the declaratory and injunction relief which plaintiff seeks.

~~Conclusion~~ Conclusion. Plaintiff claims for injunctive relief are authorized by 28 U.S.C. section 2283 & 2284 and rule 65 of the Fed. Rule of civil procedure,

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